



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/668,389

09/24/2003

Felix Henry

01807.002403.

2466

5514

7590

10/21/2009

FITZPATRICK CELLA HARPER & SCINTO

1290 Avenue of the Americas

NEW YORK, NY 10104-3800

EXAMINER

HUNG, YUBIN

ART UNIT

PAPER NUMBER

2624

MAIL DATE

DELIVERY MODE

10/21/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Appendix A

In the 9/28/09 response Applicant argues:

1. that “when the amplitude along the path corresponds to the amplitude model, the amplitude model best represents the amplitude of the samples” (P. 2, 3rd and 4th paragraphs).

However, “corresponds” cannot be equate with “best represents”. In addition, an amplitude model, if poorly selected, cannot be expected to best represent the amplitude of the samples, either. Therefore the argument is not persuasive.

2. that “...will approximate, i.e., best represent...” (P. 3, 2nd paragraph, especially last 3 lines).

However, “approximate” cannot be equate with “best represent”. Applicant has not disclosed what criterion (such as a cost function) is used to make the “best” representation determination. If, for example, “as close as possible” (i.e., to minimize the difference) is the criterion, and the model “approximates” an amplitude of, say, 10 with, say, 12, then clearly 11 would have been even closer and therefore a better representation than the model value. Therefore the argument is not persuasive.

Art Unit: 2624

3. that there is support for “a model is possibly selected because the path is not predetermined” (P. 3, last two paragraphs) and that “a path is determined by an amplitude model” (page 4, first 3 paragraphs, especially the last two lines of the 3rd).

However, that the path is not predetermined has no bearing for “a model is possibly selected” [to put in proper context the complete quote should have been “**along the path where** a model is possibly selected because the path is not predetermined”, which implies that a path is selected first, before the model is) as recited in the last two lines on page 10 of the 4/24/09 response]. Amended claim 1 merely recites “determining an amplitude model **and** a path amongst the digital data wherein the amplitude of the data along said path **corresponds** to said amplitude model”. “Corresponds” does not necessarily mean that the amplitude of the data along the path plays a role in determining the amplitude model, or vice versa. For example, it can simply mean that the amplitude of the model is subsequently used to replace the amplitude of the data along the path. Additionally, as set forth in the rejection of claim 1, Easwar discloses using Zig-Zag scan order (i.e., path), since many well known paths (e.g., row-major or column-major) exist, the fact that this specific Zig-Zag path is used constitutes “determining path”. Therefore the arguments are not persuasive.

4. that Easwar does not teach or suggest “coding the path” (page 4, the last paragraph).

Art Unit: 2624

However, per P. 10, lines 12-13 of the instant specification, decoding the (coefficient) path result in a set of DCT data blocks. This is consistent with this examiner's interpretation that coding the path as coding the coefficients along the path. [See, also, P. 9, line 25-P. 10, line 3. Note that while no separate coding of the coefficients is expressly disclosed, the second coding mode-coded image still has a size reduction of up to 20%. This also means that interpreting the coding of a coefficient path as coding the coefficients along the path is consistent with the disclosure since if the coefficients are not coded, then the code for the "path" along with the amplitude model will actually result in an increase in the file size, not a reduction. Therefore the argument is not persuasive.

/Yubin Hung/

Primary Examiner, Art Unit 2624